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Attorney for Petitioner
DEREK SYLVESTER

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DEREK SYLVESTER,

Petitioner,

v.

SCOTT P. RAWERS, et al.,

Respondents.

No. CIV S-03-1301 GEB KJM P

**STIPULATION AND ORDER
TO CONTINUE EVIDENTIARY
HEARING**

Judge: Kimberly J. Mueller

By order filed June 29, 2007, this Court set an evidentiary hearing in this matter for September 10, 2007, at 10:00 a.m. Both petitioner, DEREK SYLVESTER, by and through his attorney, Assistant Federal Defender Ann C. M^cClintock and RESPONDENTS, by and through their attorney Deputy Attorney General Justain P. Riley hereby stipulate and agree to continue the evidentiary hearing to December 3, 2007, at 10:00 a.m.

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Both Petitioner and Respondents need additional time to prepare for the evidentiary hearing.

Dated: September 5, 2007

Respectfully submitted,

DANIEL J. BRODERICK
Federal Defender

/s/ Ann C. McClintock
ANN C. MCCLINTOCK
Assistant Federal Defender
Attorney for Petitioner
DEREK SYLVESTER

Dated: September 5, 2007

EDMUND G. BROWN, JR.
Attorney General

/s/ Justain P. Riley
JUSTAIN P. RILEY
Deputy Attorney General
Attorney for Respondents

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ORDER

IT IS HEREBY ORDERED that the evidentiary hearing in this case, currently scheduled for September 10, 2007, shall be continued to December 3, 2007, at 10:00 a.m.

Dated: September 14, 2007.
nunc pro tunc to September 5, 2007


U.S. MAGISTRATE JUDGE